

REMARKS

Claims 1-18 are pending in the application.

Restriction Requirement

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §§ 121 and 372:

- Group I: Claims 1-9, allegedly drawn determining whether a bacterium is beta lactamase producing in a solid medium;
- Group II: Claims 10-11, allegedly drawn to a kit for determining whether a bacterium is beta lactamase producing;
- Group III: Claim 12, allegedly drawn to a method for determining whether a bacterium is beta lactamase producing with a kit; and
- Group IV: Claims 13-18, allegedly drawn to determining whether a bacterium is beta lactamase producing in a liquid medium.

Election without Traverse

In order to be responsive to the Requirement for Restriction, and without acquiescing to the propriety of any of the assertions set forth in the Requirement for Restriction, Applicants elect the invention set forth in Group I, claims 1-9, as drawn to "determining whether a bacterium is beta lactamase producing in a solid medium." Applicants submit that at least claims 1-9 read on the elected invention.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Testuya YAGI et al.



Bruce H. Bernstein
Reg. No. 29,027

December 16, 2010
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Stephen M. Roylance
Reg. No. 31,296